



Rep. Naomi D. Jakobsson

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1 AMENDMENT TO HOUSE BILL 3035

2 AMENDMENT NO. _____. Amend House Bill 3035 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Disaster Relief Act is amended by changing
5 Section 3 as follows:

6 (15 ILCS 30/3) (from Ch. 127, par. 293.3)

7 Sec. 3. Whenever funds regularly appropriated to the State
8 and local governmental bodies for disaster response and
9 recovery are insufficient to provide services, and when the
10 Governor has declared a disaster by proclamation in accordance
11 with Section 7 of the Illinois Emergency Management Agency Act
12 or any successor Act, the Governor may draw upon the Disaster
13 Response and Recovery ~~Relief~~ Fund in order to provide services
14 or to reimburse local governmental bodies furnishing services.
15 The fund may be used for the payment of emergency employees,
16 for the payment of the Illinois National Guard when called to

1 active duty, for disaster-related expenses of State Agencies
2 and Departments, and for the emergency purchase or renting of
3 equipment and commodities. The fund shall be used for
4 furnishing emergency services and relief to the disaster area
5 as a whole and shall not be used to provide private relief to
6 persons sustaining property damages or personal injury as a
7 result of a disaster.

8 (Source: P.A. 87-168.)

9 Section 10. The Illinois Emergency Management Agency Act is
10 amended by changing Sections 8 and 9 as follows:

11 (20 ILCS 3305/8) (from Ch. 127, par. 1058)

12 Sec. 8. Mobile Support Teams.

13 (a) The Governor or Director may cause to be created Mobile
14 Support Teams to aid and to reinforce the Illinois Emergency
15 Management Agency, and emergency services and disaster
16 agencies in areas stricken by disaster. Each mobile support
17 team shall have a leader, selected by the Director who will be
18 responsible, under the direction and control of the Director,
19 for the organization, administration, and training, and
20 operation of the mobile support team.

21 (b) Personnel of a mobile support team while on duty
22 pursuant to such a call or while engaged in regularly scheduled
23 training or exercises, whether within or without the State,
24 shall either:

1 (1) If they are paid employees of the State, have the
2 powers, duties, rights, privileges and immunities and
3 receive the compensation incidental to their employment.

4 (2) If they are paid employees of a political
5 subdivision or body politic of this State, and whether
6 serving within or without that political subdivision or
7 body politic, have the powers, duties, rights, privileges
8 and immunities, and receive the compensation incidental to
9 their employment.

10 (3) If they are not employees of the State, political
11 subdivision or body politic, or being such employees, are
12 not normally paid for their services, be entitled to at
13 least one dollar per year compensation from the State.

14 Personnel of a mobile support team who suffer disease,
15 injury or death arising out of or in the course of emergency
16 duty, shall for the purposes of benefits under the Workers'
17 Compensation Act or Workers' Occupational Diseases Act only, be
18 deemed to be employees of this State. If the person diseased,
19 injured or killed is an employee described in item (3) above,
20 the computation of benefits payable under either of those Acts
21 shall be based on income commensurate with comparable State
22 employees doing the same type of work or income from the
23 person's regular employment, whichever is greater.

24 All personnel of mobile support teams shall, while on duty
25 under such call, be reimbursed by this State for all actual and
26 necessary travel and subsistence expenses.

1 (c) The State shall reimburse each political subdivision or
2 body politic from the Disaster Response and Recovery Relief
3 Fund for the compensation paid and the actual and necessary
4 travel, subsistence and maintenance expenses of paid employees
5 of the political subdivision or body politic while serving,
6 outside of its geographical boundaries pursuant to such a call,
7 as members of a mobile support team, and for all payments made
8 for death, disease or injury of those paid employees arising
9 out of and incurred in the course of that duty, and for all
10 losses of or damage to supplies and equipment of the political
11 subdivision or body politic resulting from the operations.

12 (d) Whenever mobile support teams or units of another
13 state, while the Governor has the emergency powers provided for
14 under Section 7 of this Act, render aid to this State under the
15 orders of the Governor of its home state and upon the request
16 of the Governor of this State, all questions relating to
17 reimbursement by this State to the other state and its citizens
18 in regard to the assistance so rendered shall be determined by
19 the mutual aid agreements or interstate compacts described in
20 subparagraph (5) of paragraph (c) of Section 6 as are existing
21 at the time of the assistance rendered or are entered into
22 thereafter and under Section 303 (d) of the Federal Civil
23 Defense Act of 1950.

24 (e) No personnel of mobile support teams of this State may
25 be ordered by the Governor to operate in any other state unless
26 a request for the same has been made by the Governor or duly

1 authorized representative of the other state.

2 (Source: P.A. 92-73, eff. 1-1-02.)

3 (20 ILCS 3305/9) (from Ch. 127, par. 1059)

4 Sec. 9. Financing.

5 (a) It is the intent of the Legislature and declared to be
6 the policy of the State that funds to meet disasters shall
7 always be available.

8 (b) It is the legislative intent that the first recourse
9 shall be to funds regularly appropriated to State and political
10 subdivision departments and agencies. If the Governor finds
11 that the demands placed upon these funds in coping with a
12 particular disaster are unreasonably great, the Governor may
13 make funds available from the Disaster Response and Recovery
14 ~~Relief~~ Fund. If monies available from the Fund are
15 insufficient, and if the Governor finds that other sources of
16 money to cope with the disaster are not available or are
17 insufficient, the Governor shall request the General Assembly
18 to enact legislation as it may deem necessary to transfer and
19 expend monies appropriated for other purposes or borrow, for a
20 term not to exceed 2 years from the United States government or
21 other public or private source. If the General Assembly is not
22 sitting in regular session to enact such legislation for the
23 transfer, expenditure or loan of such monies, and the President
24 of the Senate and the Speaker of the House certify that the
25 Senate and House are not in session, the Governor is authorized

1 to carry out those decisions, by depositing transfers or loan
2 proceeds into and making expenditures from the Disaster
3 Response and Recovery Relief Fund, until such time as a quorum
4 of the General Assembly can convene in a regular or
5 extraordinary session. The General Assembly shall, to the
6 extent moneys become available, restore moneys used from other
7 sources under this Section.

8 (c) Nothing contained in this Section shall be construed to
9 limit the Governor's authority to apply for, administer and
10 expend grants, gifts or payments in aid of disaster mitigation,
11 preparedness, response or recovery.

12 (Source: P.A. 92-73, eff. 1-1-02; 93-249, eff. 7-22-03.)

13 Section 15. The Emergency Management Assistance Compact
14 Act is amended by adding Section 10 as follows:

15 (45 ILCS 151/10 new)

16 Sec. 10. Reimbursements and expenses. The Illinois
17 Emergency Management Agency as the authorized representative
18 of the State may use the Disaster Response and Recovery Fund to
19 deposit any reimbursements received from a party state and to
20 pay any expenses incurred relating to this Act.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."